

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**In re NATIONAL CITY CORPORATION
SECURITIES, DERIVATIVE & ERISA
LITIGATION**

**This document is applicable to:
The Derivative Cases**

)
) **MDL No.: 2003**
) **Case No.: 1:08-nc-70000-SO**
)
)
) **JUDGE SOLOMON OLIVER, JR.**
)
)

INDIVIDUAL DEFENDANTS' MOTION TO DISMISS FOR LACK OF STANDING

The Individual Defendants hereby move, pursuant to Federal Rule of Civil Procedure 12(b)(1), to dismiss this action for want of standing. As set forth in the accompanying memorandum of law, plaintiffs no longer have standing to pursue this derivative action in light of the recently-completed merger between National City Corporation and The PNC Financial Services Group, Inc.

This Motion is also supported by the declaration of Geoffrey J. Ritts, one of the attorneys for the Individual Defendants.

Dated: January 12, 2009

Respectfully submitted,

/s/ Geoffrey J. Ritts

John M. Newman, Jr.

(Ohio Bar Registration No. 0005763)

E-mail: jmnewman@jonesday.com

Geoffrey J. Ritts

(Ohio Bar Registration No. 0062603)

E-mail: gjritts@jonesday.com

Adrienne M. Ferraro

(Ohio Bar Registration No. 0076332)

E-mail: amferraro@jonesday.com

Andrew G. Fiorella

(Ohio Bar Registration No. 0077005)

E-mail: agfiorella@jonesday.com

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, OH 44114-1190

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

Attorneys for the Individual Defendants

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2009, a copy of the foregoing Individual Defendants' Motion to Dismiss for Lack of Standing, with attached Memorandum in Support of the Individual Defendants' Motion to Dismiss for Lack of Standing, Declaration of Geoffrey J. Ritts in Support of the Individual Defendants' Motion to Dismiss for Lack of Standing and accompanying exhibits, and a proposed order, were filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's systems.

/s/ Geoffrey J. Ritts

Geoffrey J. Ritts

*One of the Attorneys for the
Individual Defendants*